

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JACOB SMITH,

Plaintiff,

v.

**FIRSTENERGY CORP. AND
FIRSTENERGY SERVICE CO.,**

Defendants.

**BRIAN HUOCK AND CAMEO
COUNTERTOPS, INC.,**

Plaintiffs,

v.

FIRSTENERGY CORP., *et al.*,

Defendants.

JAMES BULDAS,

Plaintiff,

v.

FIRSTENERGY CORP., *et al.*,

Defendants.

Case Nos. 2:20-cv-03755, 03954, 03987

Judge Edmund A. Sargus

Magistrate Judge Kimberly A. Jolson

**MOVING DEFENDANTS' MOTION TO RECONSIDER OR VACATE ORDER
GRANTING MOTION TO CERTIFY CLASS**

For the reasons stated in FirstEnergy Defendants' Motion to Reconsider or Vacate Order Granting Motion to Certify Class, Moving Defendants Michael J. Dowling and Charles E. Jones move the Court to reconsider and withdraw or vacate its order (Doc. # 73) granting Plaintiffs' motion for class certification (Doc. # 62). Accordingly, Moving Defendants respectfully request

that the Court permit the defendants an opportunity to respond to the motion for class certification consistent with the Scheduling Order (30 days after the transcripts of the named Plaintiffs' depositions are available).

November 12, 2021

Respectfully submitted,

/s/ Terry M. Brennan
Terry M. Brennan (0065568)
Daniel R. Warren (0054595)
Carole S. Rendon (0070345)
BAKER & HOSTETLER LLP
127 Public Square, Suite 2000
Cleveland, OH 44114
Tel: (216) 861-7485
tbrennan@bakerlaw.com
dwarren@bakerlaw.com
crendon@bakerlaw.com

/s/ John A. Favret
John F. McCaffrey (0039486)
John A. Favret (0080427)
TUCKER ELLIS LLP
950 Main Avenue - Suite 1100
Cleveland, OH 44113
Tel: 216.592.5000
Fax: 216.592.5009
john.mccaffrey@tuckerellis.com
john.favret@tuckerellis.com
Attorneys for Defendant Michael J. Dowling

F. Joseph Warin (*admitted pro hac vice*)
William S. Scherman (*admitted pro hac vice*)
Jason J. Mendro (*admitted pro hac vice*)
Christopher W.H. Sullivan (*admitted pro
hac vice*)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
Tel: (202) 955-8500
Fax: (202) 467-0539
fwarin@gibsondunn.com
wscberman@gibsondunn.com
jmendro@gibsondunn.com
csullivan@gibsondunn.com
Attorneys for Defendant Charles E. Jones

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of this filing to all counsel of record.

/s/ John. A. Favret

*One of the Attorneys for Defendant Michael J.
Dowling*